

Chapter 10.05

ROUTES DESIGNATED

Sections:

- 10.05.001 All-terrain and utility-terrain vehicle routes designated.
- 10.05.006 Bicycle & pedestrian route permit.

10.05.001 All-terrain and utility-terrain vehicle routes designated. Consistent with Wis. Stat. § 23.33 (8), the designation of all-terrain vehicle and utility-terrain vehicle routes is delegated to the highway committee. The fee for ATV/UTV route applications is \$60.00.

A. Definitions.

1. All-Terrain Vehicle (“ATV”) has the meaning specified within Wis. Stat. § 340.01(2)(g).
2. ATV/UTV Route shall mean a county trunk highway designated for use by all-terrain and utility-terrain vehicle operators by the governmental entity having jurisdiction.
3. Utility-Terrain Vehicle (“UTV”) has the meaning specified with Wis. Stat. § 23.33(1).

B. Routes. All county trunk highways shall receive a route designation set by the highway commissioner.

1. These designations shall include:
 - a. Open to ATV/UTV use;
 - b. Application required for ATV/UTV use; and
 - c. ATV/UTV use not allowed.
2. No designated ATV/UTV route may be used until approved as open for use by the highway committee and the route is properly signed.
3. The county board or the highway committee may suspend the use of ATV/UTV on any designated route at any time for any reason.
4. If it is determined by the highway department that a road must be closed due to road maintenance or repair, emergency, or other safety issues, the use of ATV/UTV shall be suspended until such time as the road is reopened by the highway department.
5. ATV/UTV shall not be operated on any county trunk highway that has not been designated and approved for ATV/UTV use or on a designated ATV/UTV route that is closed or suspended.
6. The highway department shall maintain a list of approved ATV/UTV routes open for use on county trunk highways.
7. The county clerk shall ensure a copy of approved ATV/UTV routes is sent to the sheriff’s office and any other law enforcement agency having jurisdiction over any portion of the approved ATV/UTV route.

C. Conditions. The operation of an ATV or UTV on any portion of a county trunk highway designated as an ATV/UTV route shall be subject to the following:

1. ATV/UTV operation shall be subject to all provisions of Wis. Stat. § 23.33, which is adopted as part of this code by reference to Wis. Stat. § 23.33(1).
2. ATV/UTV shall be operated at or below the speed limit of 35 MPH or the posted speed limit, whichever is lower.
3. ATV/UTV shall be operated single file on the far-right hand side of the paved portion/lane of the roadway. Operation on the grassy in-slope, ditches, or other highway right-of-way area is prohibited. Left turns may be made from any part of the roadway which is safe given the prevailing conditions.
4. ATV/UTV shall be equipped with a functioning headlamp and tail lamp, illuminated while on the highway.

D. Signs. The highway department, as the maintaining authority for highways designated as ATV/UTV routes, shall have oversight of the installation of signage.

1. No person may intentionally remove, damage, deface, move, or obstruct any ATV/UTV route or trail sign or intentionally interfere with the effective operation of any ATV/UTV route or trail sign.
2. No person shall operate ATV/UTV contrary to any authorized and official posted sign.

E. Enforcement. This code shall be enforced by any law enforcement officer as applicable and authorized to enforce the laws of the State of Wisconsin as set for in Wis. Stat. § 23.33(12).

F. Penalties. The penalties set forth in Wis. Stat. § 23.33(13)(1) and/or any resolutions are adopted by reference. Any person who violates this Code shall be subject to a forfeiture of not more than \$500.00 plus court costs. (Ord. 167-24, Sec. 1, 2024; Ord. 166-17, Sec. 6, 2022; Ord. 163-23, Sec. 4, 2019; Ord. 161-12, Sec. 7, 2017; Ord. 132-75 Sec.5, 1989).

10.05.006 Bicycle & pedestrian route permit. Allows installation of route signs along county roads for the use of bicycle and pedestrians. The fee for bicycle and pedestrian route applications is \$40.00 (Ord. 167-24, Sec. 1, 2024; Ord. 166-17, Sec. 7, 2022)

Chapter 10.08

TRAFFIC ON BEAVER CREEK RESERVE LANDS

Sections:

- 10.08.010 Motor vehicles prohibited.
- 10.08.020 Violation--Penalties.

10.08.010 Motor vehicles prohibited. No motor vehicles shall be permitted to travel on any Eau Claire County Beaver Creek Reserve lands except on roads specifically designated for such use. (Res. 213-73 (part), 1973).

10.08.020 Violation--Penalties. The following penalties shall apply for any violation of this chapter:

- A. Any person who violates any provision of this chapter shall, upon conviction, be subject to a forfeiture of not less than \$10.00 nor more than \$200.00 for each offense;
- B. Any person who has previously been convicted of a violation of this chapter shall be subject to a forfeiture of not less than \$25.00 nor more than \$200.00;
- C. No violation of this chapter shall be, or be construed to be, a misdemeanor nor shall imprisonment be imposed as a punishment for violation therefor except in the event of a failure of the defendant to pay the forfeiture imposed hereunder by the court;
- D. When a forfeiture is imposed for a violation of this chapter, the court may also order the defendant to pay the cost of the action and to be imprisoned until such forfeiture and costs are paid, in no case, however, to exceed 6 months, and the court may also issue an execution against the defendant's property for said forfeiture and costs. (Res. 213-73 (part)1973).

Chapter 10.20

VEHICLE ABANDONMENT AND IMPOUNDMENT

Sections:

<u>10.20.005</u>	Definitions.
<u>10.20.010</u>	Abandonment prohibited--impoundment authorized.
<u>10.20.020</u>	Persons authorized to impound vehicles.
<u>10.20.030</u>	Impoundment and storage charges.
<u>10.20.035</u>	Disposition of abandoned vehicles.

10.20.005 Definitions.

- A. "Department" means the county highway department.
- B. "Officer in charge" means the department head, officer or designee vested with the management or supervision of the various county properties.
- C. "Vehicle" means any motor vehicle, trailer, semi-trailer or home. (Ord. 144-24, Sec. 27, 2000; Ord. 81-82/274 Sec.1(part), 1982).

10.20.010 Abandonment prohibited--Impoundment authorized.

A. No person shall leave unattended any vehicle on any public highway in the county, or on county property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Except as otherwise provided in this section, whenever any vehicles has been left unattended without permission of the property owner or officer in charge for more than 48 hours, the vehicle is deemed abandoned and constitutes a public nuisance. A vehicle shall not be considered abandoned when it is out of ordinary public view, or when designated as not abandoned by the sheriff or the officer in charge in accord with this chapter.

1. The sheriff, sheriff's deputy or the officer in charge who discovers any vehicle which has been abandoned shall cause it to be removed to the county vehicle pound as provided in A.2. The officer shall notify the sheriff of the abandonment and location of the impounded vehicle.

2. The sheriff or the officer in charge of the property upon which it stands shall, prior to towing and impoundment under this section, attempt to notify the owner of proposed towing and impoundment. If attempted notification fails, the vehicle may be impounded.

B. If a vehicle is left unattended on county property without the permission of the officer in charge and it jeopardizes public safety by creating an unsafe condition, significantly hindering the efficient movement of traffic or interfering with parking of vehicles in county lots, the officer in charge of the property on which it stands or the sheriff may authorize the immediate removal, towing and impoundment of the vehicle at the vehicle pound.

C. The officer in charge or the sheriff may order the immediate towing and impoundment of any unattended vehicle having caused damage to county property until such time as restitution for damages is made to the county, a release therefor is executed, and all charges under 10.20.030 are paid.

D. Any vehicle in violation of this section shall be impounded until lawfully claimed or disposed of under 10.20.030 or 10.20.035, except that if the officer in charge deems that the cost of towing and storage charges for impoundment would exceed the value of the vehicle, it may be junked or sold in accord with 10.20.035 prior to the expiration of the impoundment period upon determination by the sheriff that the vehicle is not stolen or otherwise wanted for evidence or other reason. (Ord. 165-15, Sec. 2, 2021; Ord. 147-88, 2004; Ord.144-24, Sec. 28, 2000; Ord.126-47 Secs.1, 2, 1982; Ord.81-82/274 Sec.1(part), 1982).

(Ord. 165-15, Sec. 3, 2021; Ord.126-47 Sec.3, 1982)

10.20.020 Persons authorized to impound vehicles. The department shall accept vehicles and watercraft for impoundment upon request of the following:

- A. The officer in charge of county property upon which the vehicle was abandoned or where it caused property damage;
- B. A law enforcement officer as defined in 9.46.005 B. engaged in official duties;
- C. The district attorney or designee;
- D. Upon order of the circuit court. (Ord.126-47 Secs.4, 5, 1982; Ord 81-82/274 Sec.1(part), 1982).

10.20.030 Impoundment and storage charges.

A. The owner of any abandoned or impounded vehicle is responsible for all costs of impoundment or disposition of the vehicle. The corporation counsel is authorized to recover by civil action all costs not recovered by the assessment of charges or disposition of the vehicle.

B. The owner or lienholder of record of any vehicle impounded or stored at the vehicle pound pursuant to this chapter shall be assessed \$30.00 for each day the vehicle remains in storage, plus towing costs in addition to any civil forfeiture.

C. The department shall calculate all charges and restitution due and owing on all impounded vehicles and may release an impounded vehicle upon receipt of the following:

- 1. A duly executed release from the impounding officer or court;
- 2. A release from the sheriff stating that the vehicle is not stolen or otherwise wanted for evidence or other reason;
- 3. A released of satisfaction from the impounding officer for restitution for damages under 10.20.010 C.
- 4. Payment to the county treasurer for all charges assessed by the department pursuant to this section. (Ord. 151-32, Sec. 18, 2007; Ord. 148-102 Sec. 13, 2004; Ord. 146-47, 2002; Ord. 81-82/274 Sec.1(part), 1982).

10.20.035 Disposition of abandoned vehicles.

A. No vehicle shall be stored longer than 60 days except pursuant to court order. Prior to the conclusion of that period of time, the department shall provide a notice in compliance with Wis. Stat. § 342.40(3)(c), via certified mail to the owner or lienholder of record to permit reclamation of the vehicle upon payment of accrued charges. If the owner or lienholder fails to reclaim the vehicle within ten days after receipt of the notice, the department shall subject the vehicle to a sale by sealed bid.

B. Notice of the sale shall be publicly posted by the department at the office of the sheriff, the courthouse and the department office, and shall be published at least once in the official newspaper in the same form as the certified mail notice sent to the owner under Wis. Stat. § 342.40 (3) (c). The department shall conduct the sale and transfer in accord with Wis. Stat. § 342.40 (3) (c) and (3). If all bids are rejected or none are received, the department may readvertise the sale or sell the vehicle at a private sale or annual county auction. Vehicle sales shall be grouped where practical.

C. For each day the sold vehicle remains in county storage after the second business day subsequent to the sale date, a charge of \$5.00 be assessed against the purchaser. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle and it shall be deemed abandoned and may be sold again. (Ord. 161-12, Sec. 8, 2017; Ord. 81-82/274 Sec.1(part), 1982).

Chapter 10.30

MISCELLANEOUS REGULATIONS

Sections:

- 10.30.020 Obstructing highways with Snow
- 10.30.030 Piling forest and farm products upon highway rights-of-way
- 10.30.040 Damage to county highways by horses and horse drawn vehicles

10.30.020 Obstructing highways with snow.

A. It shall be unlawful for any person to leave or place any snow removed from private property in piles or rows upon the traveled portion of any highway open to public travel pursuant to Wis. Stat. § 86.01.

B. Violation and penalty. Persons who violate provisions of this chapter shall be subject to the forfeiture schedule at 1.50.020. (Ord. 161-12, Sec. 10, 2017Ord.139-75, Sec.1, 1995).

(Ord. 163-38, Sec. 1, 2020; Ord. 161-12, Sec. 9, 2017Ord.134-28, 1990)

10.30.030 Piling forest and farm products upon highway rights-of-way.

A. Definitions. Forest or farm products shall include by not be limited to cut timber, logs, boards, limbs or branches for forest products or baled hay, straw or corn stalks for farm products.

B. It shall be unlawful for any person to leave or place any forest or farm products removed from private property in stacks of piles upon the public rights-of-way of any open to public travel pursuant to Wis. Stat. § 86.01.

C. Violation and Penalty. Persons who violate provisions of this chapter shall be subject to the forfeiture schedule cited at 1.50.020 and shall remove or cause to be removed such forest or farm products from the public rights-of-way. (Ord. 161-12, Sec. 11, 2017; Ord.139-75, Sec.2, 1995).

10.30.040 Damage to County Highways by horses and horse drawn vehicles.

A. To prevent damage to county highways by horses and horse drawn vehicles that use cleated horseshoes, only horseshoes with flat soles are permitted on county highways during the months of May through October each year.

B. All horse drawn vehicles operated on county highways shall be equipped with manure catching devices.

C. Violation and penalty. A person who violates any provision of this chapter shall be subject to the forfeiture schedule at 1.50.020. (Ord. 163-38, Sec. 1, 2020)

Chapter 10.81

GOVERNMENT CENTER PARKING REGULATIONS

Sections:

<u>10.81.001</u>	Purpose.
<u>10.81.002</u>	Scope.
<u>10.81.005</u>	Definitions.
<u>10.81.020</u>	Parking time limitations.
<u>10.81.030</u>	Restricted parking areas.
<u>10.81.050</u>	Sanctions for violations.

10.81.001 Purpose. The purpose of this chapter is to establish a uniform policy for utilization of the parking areas serving the county government center in accord with Wis. Stat. § 59.52(24). (Ord. 157-25, Sec. 2, 2013; Ord.141-03, Sec.1, 1997; Ord.138-02, Sec.1. 1994; Ord. 27-87 Sec.1, 1984).

10.81.002 Scope. This chapter shall apply to the parking, stopping or standing of any vehicle, inclusive of automobiles, trucks, buses, motorcycles, scooters and bicycles. (Ord.143-35 Sec.1, 1999).

10.81.005 Definitions. For the purpose of this chapter, the following definitions shall apply:

A. "Business" shall be defined as including without limitation by enumeration thereof, any transaction, public meeting, administrative functions, court appearance, payment of money, procurement of any licenses, permits or services, and the performance of any services as, for and/or with the county and its various departments, officers, agencies, committees and commissions and additionally, with the city police department, health department, TRY Mediation, Inc., and courts.

B. "Government Center" means the Eau Claire County Government Center consisting of the courthouse and jail.

C. "Handicapped person" means any person, who, has a disability that limits or impairs the ability to walk and has been issued special license plates with VET or DIS on them or who displays a special identification card for physically disabled persons.

D. "Parking areas" shall include lots identified by signs as A, B, C, D, E and F.

E. "Visitors" shall be defined as any member of the public having business to conduct in the government center including county board supervisors. "Visitors" does not include any county employee, officer or elected official other than a county board supervisor; city police department officer or employee; city-county health department employee, TRY Medication, Inc. employee; judge or other court personnel; district attorney office employee; or other individual who maintains an office at or reports to the courthouse as their place of employment. (Ord. 157-25, Sec. 2, 2013; Ord. 145-27, Sec. 1, 2001; Ord.143-35, Secs.2-8, 1999; Ord.140-80, Sec.1, 1996; Ord.138-27 Sec.1, 1995; Ord.138-55 Sec.1; Ord.138-02 Sec.2, 1994; Ord.135-58 Sec.1-2, 1991; Ord.130-49 Sec.1, 1986; Ord.127-87 Sec.1, 1984).

10.81.020 Parking time limitations. The facilities director shall be responsible for the administration of parking time limitations. (Ord. 157-25, Sec. 2, 2013; Ord.127-87, Sec.1, 1984).

10.81.030 Restricted parking areas.

A. Posted parking spaces shall be restricted as designated.

B. Lot B, except for one designated space, shall be reserved exclusively for handicapped parking.

C. The easternmost two rows and southernmost row of Lot A shall be restricted solely to visitor parking. Visitors may also park in any parking space that is not specifically designated otherwise, consistent with any other restrictions designated herein.

D. The facilities director is authorized to designate parking spaces and lots for special events or any temporary use.

E. Huber prisoners shall be restricted to the northeast rows of Lot D.

F. Parking outside of marked parking spaces is prohibited.

G. From November 1st through March 31st, parking between 11:00 p.m. and 6:00 a.m. shall be restricted solely to the northernmost parking row that runs east and west in Lot A as posted.

H. Visitor overnight parking in Lots A, B, C, D, E and F is prohibited.

I. The county administrator shall have the authority to restrict parking to ensure visitor access to the county courthouse regardless of the restrictions in this section. (Ord.Ord. 161-36, Sec. 1, 2018; Ord. 157-25, Sec. 2, 2013; Ord. 155-6, Sec. 1 & 2, 2011; Ord. 148-33, 2004; Ord. 147-103, Sec. 5, 2004; Ord. 145, Sec. 2, 3, and 4, 2001; Ord.143-35 Sec.9, 1999; Ord.140-119, 1997; Ord.140-80, Sec.2, 1996; Ord.139-27, Sec. 2, 1995; Ord.138-55, Sec. 2, 1994; Ord.135-58, Sec. 3, 1991; Ord.127-87, Sec.1, 1984).

10.81.050 Sanctions for violations.

A. Any person who violates the terms of this chapter shall be subject to the schedule of forfeitures established in Chapter 1.50 in addition to any tow-away or storage charges assessed where authorized.

B. The county administrator, or the persons authorized in 1.50.030 may authorize the towing away and storage of any vehicle parked contrary to this chapter or parked so as to restrict ingress to and egress from any parking area. Towing and storage charges shall be assessed in accord with Chapter 10.20 in addition to any forfeiture. (Ord.143-35 Sec.11, 1999; Ord.141-92 Sec.58, 1998; Ord.127-87 Sec.1, 1984).

Chapter 10.90

IMPLEMENTS OF HUSBANDRY (IoH)--PERMIT TO EXCEED WEIGHT LIMITS

Sections:

<u>10.90.001</u>	Authority.
<u>10.90.010</u>	Purpose.
<u>10.90.020</u>	Definition.
<u>10.90.030</u>	Weight Limits.
<u>10.90.040</u>	Permit.
<u>10.90.050</u>	Approved alternate route.
<u>10.90.060</u>	Penalty.
<u>10.90.070</u>	Enforcement.
<u>10.90.080</u>	Reference to statutes.

10.90.001 Authority. This ordinance is adopted pursuant to the authority granted by Wis. Stats. §§ 348.15 and 348.27. (Ord 158-24, Sec. 1, 2014)

10.90.010 Purpose. To give operators of Implements of Husbandry (IoH) more flexibility to operate on highways as to weight, length and width, while retaining a balance for the county to protect the highways and highway users from the risks of ever increasing weights, lengths and widths of IoH. (Ord 158-24, Sec. 1, 2014)

10.90.020 Definition. In this chapter “Implements of Husbandry” “(IoH)” is defined pursuant to Wis. Stat. § 340.01(24)(a)1.b. (Ord 158-24, Sec. 1, 2014)

10.90.030 Weight limits. The maximum weight limit on all IoH (including Category B implements) is 23,000 pounds per axle and 92,000 pounds gross vehicle weight. All IoH are required to comply with seasonal and special postings and any postings on highway bridges under Wis. Stat. § 349.16. (Ord 158-24, Sec. 1, 2014)

10.90.040 Permit. A no-fee permit may be obtained from the Eau Claire County Highway Department to operate an IoH that exceeds limitations imposed by this chapter. A permit is required for each piece of equipment intended to be used that will exceed weight or length limits. Permits may be issued with operating conditions. (Ord 158-24, Sec. 1, 2014)

10.90.050 Approved alternate route. If a permit is denied on the basis of the listed route, an alternate route or map of highway for operation of IoH shall be provided as a condition of approval of the application which may include highways that are not under the county’s jurisdiction if prior approval has been given by the jurisdiction over the alternate routes not under the county jurisdiction for the operation of IoH. (Ord 158-24, Sec. 1, 2014)

10.90.060 Penalty. Violation of any provision of this chapter shall be forfeiture as provided under Wis. Stat. § 348.21, together with the costs of prosecution. (Ord 158-24, Sec. 1, 2014)

10.90.070 Enforcement. This chapter may be enforced by the issuance of a citation by officials or designees of officials authorized to issue overweight limit citations. (Ord 158-24, Sec. 1, 2014)

10.90.080 Reference to statutes. References to specific statutory sections wherever used in this ordinance shall mean the most current Wisconsin Statutes, and any future amendments, revisions or modifications thereof which are expressly incorporated herein. (Ord 158-24, Sec. 1, 2014)